

# SJ Exhibit 10



OFFICE OF THE COMPTROLLER  
CITY OF ST. LOUIS



DARLENE GREEN  
Comptroller

212 City Hall  
(314) 622-4389  
FAX 622-4026

To: Ms. Nancy Kistler  
Deputy City Counselor

From: Comptroller Darlene Green *dg*

Date: July 12, 2019

Re: James Garavaglia – Documentation – Muni Court 5<sup>th</sup> Amendment Incident.

At the June 19, 2019, E&A meeting I became aware of an email sent by Jim Garavaglia to Beverly Fitzsimmons to place an item on the agenda when Mayor Krewson read aloud the email thread. This was my first time hearing about the email Jim sent. This is important because I didn't realize Jim had initiated the request for the extension item to be added to the agenda. I knew generally that the request for an extension was coming because Jim had mentioned it to me earlier in the month. However, I was not fully apprised of the situation, including a pending default. As the mayor read aloud the email thread, I immediately became concerned that I had a weakness in my office. As deputy comptroller for finance and development, it was incumbent on Jim to inform and apprise his superior on development matters—including challenges and areas of concern.

After the meeting I decided to find out more about the email and spoke to Beverly at length the following day. I learned about a separate email thread sent to Jim from Beverly on both June 14<sup>th</sup> and 18<sup>th</sup> asking Jim if I was in agreement with the extension. Jim intentionally ignored her and said nothing to me until he called me Tuesday, June 18, the day before the E&A meeting. Jim led me to believe the Mayor's office initiated putting the item on the agenda the day before the meeting. I then realized Jim had not been forthcoming with the truth.

The day before the E&A meeting Jim called me to tell me the Mayor's office wanted to put the item on the agenda and he asked if he could send the documents to Todd Waelterman in the Mayor's office. I said to Jim no, please send the documents to me. I did this because delinquent taxes were owed and should be

Garavaglia  
Depo.  
Exhibit 5

on the web: [www.stlouis-mo.gov/comptroller](http://www.stlouis-mo.gov/comptroller)

GARAVAGLIA 105

SJ Exhibit

10

paid before an extension, and I also thought it was time for the city to learn if there were any new plans for going forward if an extension was granted to the developer. Besides it was too late to add an item to the agenda to meet the deadline for the June 19 E&A meeting. A special meeting would have to be called, which would give the E&A members an opportunity to hear about the developer's next steps.

Jim misrepresented the truth to me. He had not realized taxes were owed when he initially asked Beverly to place the extension item on the agenda. Jim did not have tax clearance before he made his request to place the item on the agenda. Besides being disappointed that he had let down the comptroller's office, I considered it very serious that he misled me in that manner and because of the sensitive nature of his position his actions definitely warranted disciplinary action.

During the time I was considering what disciplinary action to take—in other words I knew I needed to take some action, but I didn't yet know what action—the following occurred over the course of a two day period, June 26-27, 2019:

—Mishandled routing real estate closing documents for signatures—

I was prompted to put Jim Garavaglia on forced leave for this latest misconduct because there already existed a pattern of the same behavior of mishandling the routing of important financial documents.

An investigation was appropriate to assess the situation properly not only because of the type of misconduct (dishonesty and the pattern of mishandling routing financial documents) but, the high level and sensitive nature of his position.

Further, given dishonesty was in the equation, I could not trust him to represent me again and that there could be other problems that would surface during an investigation which would help determine an appropriate course of disciplinary action.

Attachments (2)

c: Judy Armstrong  
Appointing Authority



Garavaglia, James <garavagliaj@stlouis-mo.gov>

## E&A ITEM

5 messages

Fri, Jun 14, 2019 at 10:53 AM

Garavaglia, James <garavagliaj@stlouis-mo.gov>  
To: "Fitzsimmons, Beverly" <FitzsimmonsB@stlouis-mo.gov>

Here's that extension we talked about for E&A ..... Thanks

James M. Garavaglia,  
Deputy Comptroller  
Finance and Development  
1520 Market St ~ Room 3005  
St. Louis Mo. 63103  
314-657-3410

3265\_001.pdf  
615K

Fri, Jun 14, 2019 at 11:21 AM

Fitzsimmons, Beverly <fitzsimmonsB@stlouis-mo.gov>  
To: "Garavaglia, James" <garavagliaj@stlouis-mo.gov>

You did run this by the Comptroller before we do this?  
[Quoted text hidden]

Bev Fitzsimmons  
Deputy Comptroller  
Comptroller's Office  
City of St. Louis  
1200 Market St. Room 311  
St. Louis, MO 63103  
(314) 589-6035

Fri, Jun 14, 2019 at 12:04 PM

Garavaglia, James <garavagliaj@stlouis-mo.gov>  
To: "Fitzsimmons, Beverly" <fitzsimmonsB@stlouis-mo.gov>

Did not  
[Quoted text hidden]

[Quoted text hidden]

Fri, Jun 14, 2019 at 12:35 PM

Fitzsimmons, Beverly <fitzsimmonsB@stlouis-mo.gov>  
To: "Garavaglia, James" <garavagliaj@stlouis-mo.gov>

Please run it by her first...I just got off phone with her so she is not here but around  
[Quoted text hidden]

Mon, Jun 17, 2019 at 9:28 AM

Fitzsimmons, Beverly <fitzsimmonsB@stlouis-mo.gov>  
To: "Garavaglia, James" <GaravagliaJ@stlouis-mo.gov>

First response ....what did the comptroller say?

Forwarded message  
From: Ries, Mary <riesm@stlouis-mo.gov>  
Date: Mon, Jun 17, 2019 at 9:22 AM

<https://mail.google.com/mail/b/AH1rexQhLbKl6RJxvcMkFnYb7eMyj1qVuRBZSTJEHJ2zNeVol9jp/uf1?ik=ff0dfaeb6f&view=pt&search=all&permthid=thr...> 1/2  
GARAVAGLIA 107

7/11/2019

Subject: Re: E&A ITEM

To: Fitzsimmons, Beverly <fitzsimmons@stlouis-mo.gov>

Cc: Waelterman, Todd <waeltermant@stlouis-mo.gov>, Tom Shepard <ShepardT@stlouis-mo.gov>, Paul Payne <PayneP@stlouis-mo.gov>

Bev,

At this time, we would prefer to not have this included on the upcoming agenda.

-Mary

Mary Ries, MBA



Legislative Director  
City of St. Louis  
President Lewis E. Reed  
Board of Aldermen  
314.622.4114  
riesm@stlouis-mo.gov

On Fri, Jun 14, 2019 at 10:59 AM Fitzsimmons, Beverly <fitzsimmons@stlouis-mo.gov> wrote:

Would like to add the attached to the agenda. Another extension for the Municipal Courts development. Last one hopefully

Are you all ok with it?

[Quoted text hidden]

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Bev Fitzsimmons  
Deputy Comptroller  
Comptroller's Office  
City of St. Louis  
1200 Market St. Room 311  
St. Louis, MO 63103  
(314) 589-6035

[Quoted text hidden]

7/11/2019

City of St. Louis



Garavaglia, James <garavagliaj@stlouis-mo.gov>

## Muni Courts bldg

3 messages

Tue, Jun 18, 2019 at 8:29 AM

**Fitzsimmons, Beverly** <fitzsimmonsb@stlouis-mo.gov>  
To: "Garavaglia, James" <GaravagliaJ@stlouis-mo.gov>

Extending on E&A:

You had told me she was ok with this. She told me she was not...did you work this out with her yesterday?

Bev Fitzsimmons  
Deputy Comptroller  
Comptroller's Office  
City of St. Louis  
1200 Market St. Room 311  
St. Louis, MO 63103  
(314) 589-6035

Tue, Jun 18, 2019 at 8:39 AM

**Garavaglia, James** <garavagliaj@stlouis-mo.gov>  
To: "Fitzsimmons, Beverly" <fitzsimmonsb@stlouis-mo.gov>

I didn't talk with her about it ..... but I will .

James M. Garavaglia,  
Deputy Comptroller  
Finance and Development  
1520 Market St ~ Room 3005  
St. Louis Mo. 63103  
314-657-3410

[Quoted text hidden]

Tue, Jun 18, 2019 at 8:40 AM

**Fitzsimmons, Beverly** <fitzsimmonsb@stlouis-mo.gov>  
To: "Garavaglia, James" <garavagliaj@stlouis-mo.gov>

..please do it soon because Stephanie is trying to finish agenda

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